

To: The Monitoring Officer

Council Offices

Beech Hurst, Weyhill Road, Andover.

SP10 3AJ

To whom it may concern,

Gypsies and Travellers are legally protected ethnic groups, as set out in the Equality Act 2010 which protects people from discrimination. Romany Gypsies, Scottish Travellers, and Irish Travellers have been declared by the courts to be protected as 'races' under the Act.

Our complaint is that Councillor Phil North breached every single code in the Councillor's Code of Conduct in the following ways:

1. Selflessness:

Councillor North has not considered how his comments will/have affected Gypsies and Travellers who are residents in his borough. The Test Valley website makes the following statement: 'Gypsy, Traveller, Roma, Showmen and Boater (GTRSB Very little data is available regarding the number of Gypsies and Travellers in the borough at any one time). The latest EMTAS figures record 75 children from GTRSB backgrounds in Test Valley schools. At the time of the 2021 Census, there were 259 people who identified as White Roma, Gypsy or Irish Traveller living in the borough.'

The census in 2011, recorded 63,000 Gypsies and Travellers in England and Wales. Every Gypsy and Traveller NGO, (Non Government Organisation) is aware, that this figure is a vast under representation. Many Gypsies and Travellers deny their heritage out of fear of persecution and prejudice. The estimated number of Gypsies and Travellers currently in Britain, according to the Gov.UK website is estimated to be approximately 500,000. The figures quoted on your website are likely to be underestimated and could well be in the thousands. Councillor North's comments mean that any Gypsy or Traveller resident in his borough is less likely to ask for help or support with any issues they may be having, especially if they are experiencing race hate, prejudice, or bias. His comments show that he believes that criminality and anti-social behaviour are inherently part of our culture. This is not only untrue, but it also presents a false narrative that many non Gypsy, Roma, and Traveller people will find easy to believe. In some posts he states that encampments must not be near residential areas, the clear implication being that he sees nomadic Gypsies and Travellers as a potential threat to settled people's safety.

2. Integrity:

It is clear from many, if not most, of the comments Councillor North has made that his integrity must be in question. Statements such as: 'So in answer to your questions there is a huge amount of evidence that clearly demonstrates it's not us that 'can't be civil or uncaring'. It's the other way around.' And 'Sadly, that rarely/never happens. Otherwise, I'd have a different opinion. Our past experience almost always involves ASB, criminality and the dumping of human waste. The last interaction I had with travellers (note he uses lower case T, which in itself shows a lack of respect for us as a legitimate ethnicity) they drove at me in a car after they invaded the athletics track'.

Councillor North does not say if he reported this incident to the police and we only have his word that it happened at all, or if it did what the context of the incident was. On numerous occasions he uses terms such as 'Incursions' and 'Invaded', these are military terms, and cannot be used about an ethnicity that have been present in this country since at least the early 1500's and probably several hundred years before. When he made these statements, he must surely have understood that he is targeting and speaking about all Gypsies and Travellers. Again, his comments cannot be true given the numbers of Gypsy, Roma, and Travellers in the UK, and will do harm to the community as a whole by inciting fear and hatred towards legitimate ethnicity's.

3. Objectivity:

Given the Councillors comments in point 2, and most of his other comments, he cannot be considered to be speaking objectively, as he is painting all Gypsies and Travellers with a biased, prejudiced brush. All Gypsies and Travellers have to deal with issues of conscious and unconscious bias in our daily life. There is certainly evidence in the Councillor's comments that he is presenting conscious bias as truth.

4. Accountability:

Councillor Phil North cannot be considered to be accountable for his statements. He removed from his Facebook page all of the comments made by Gypsies and Travellers and blocked us from commenting. The last time we were able to check, there were 78 messages, 52 of these, made by Gypsies and Travellers were removed and blocked. Only messages of support for his comments remained. The Councillor was clearly presenting a one-sided narrative and silencing any Gypsy or Traveller who disagreed with his statements. These are not the actions of someone who is accountable for his views. It is despicable that he chose not to engage with, or listen to, the views of Gypsies and Travellers. His actions demonstrate a mindset that is detrimental to the mental health and welfare of Gypsies and Travellers.

5. Openness:

As stated in point 4, Councillor North has failed regarding the principle of openness by removing comments that disagreed with his posts and blocking those who commented from commenting further.

6. Honesty and Leadership:

Councillor Phil North has failed in the principles of honesty and leadership in the following ways. When speaking about court injunctions he fails to mention that many have been overturned in the court of appeal, and widely condemned by civil rights groups. Please see the links for more information.

<https://www.gypsy-traveller.org/news/wide-injunctions-to-be-challenged-in-supreme-court/>

<https://www.lawgazette.co.uk/news/court-of-appeal-overturms-traveller-injunctions-ruling/5111161.article>

<https://www.gypsy-traveller.org/news/new-ruling-puts-an-end-to-wide-anti-traveller-injunctions/>

<https://www.libertyhumanrights.org.uk/issue/court-upholds-enshrined-freedom-of-gypsy-and-traveller-right-to-roam/>

He also fails to mention that it is perfectly reasonable and appropriate that 'negotiated stopping' arrangements do not have to be made 'beforehand'. These arrangements can be put in place after people arrive and can be done in a humanistic and compassionate manner. Some Gypsies and Travellers may have family members in hospital and need to be nearby in order to visit them regularly or may simply be passing through and staying for a short time. Negotiated stopping arrangements can vary in length from several days or weeks to several months depending on the situation. This is especially important in areas/boroughs like Test Valley that do not have transit site provision. The Councillor's leadership qualities are also very much in question, as by stating that encampments should not be near residential areas, he is effectively arguing for segregation. This from a Conservative Councillor in a country like the UK, which regularly condemns other states for such actions, would quite frankly be laughable if it wasn't so divisive.

On a recent poll on the Romany Gypsy Guild Facebook page contributors were asked if Councillor North's comments had affected their mental health and well-being. 100% of those who voted said yes, it had.

Below is a small selection of the many statements regarding Councillor North's comments:

'Yes, such comments affect me. I worry how many people are influenced into hating me and my family, especially the children, simply because of the ethnicity we have been born. Our children are often "othered" in shopping centres, theme parks, cinemas and many other places including food restaurants, they are refused entry, embarrassed and singled out because they are Romany-Gypsies. Comments like the Cllr's add to the "othering, and discrimination and being continually treated as sub-human". I fear things will get much worse for us due to the fear and hate influential people like the councillor (Cllr) Phil North spreads.'

'His comments made me that angry last night I didn't sleep. People take notice of him because he's an elected Councillor. His views are his alone and I don't think he should be encouraging his followers to think as he thinks. The fact that Gypsies/Travellers make up his constituents is shocking. How must they feel to hear a man in charge spout hatred. As if they don't put up with enough discrimination anyways'

'North's comments do affect us. He holds a position of both influence and power. He has deleted every comment that's been made by Romany-Gypsies and other Travellers. He could have taken the time to engage with us but instead he abuses his power to silence us. His comments are discriminatory and it's clear to see he has issues with Travellers. How long would he last as a councillor if he held the same issues towards any other ethnic minority group. Racism and discrimination fall from the top down and even though he is far from one of the top positions in the world of politics, he does hold power and he is inciting racial hatred. He shows himself to have no tolerance at all and it's evident by way of suppressing our voices. If he had real power, would we see a repeat of history? One where we are targeted because of our ethnicity, and the air we breathe is a crime? People like North petrify me. I feel very anxious knowing he isn't fair, and his corruption tactics are causing division. We engaged on his Fb with other people who had commented, and we were holding a civil conversation, where most agreed that there's a simple solution; site provision. North stole our platform where we were helping to dispel myths and stereotypes to instead push his hatred. It's demoralising and makes us feel worthless to read the comments he has made.'

'The comments made by this Councillor inciting racial hatred and clearly ignoring his legal obligations under the Equality Act 2010 fill me with horror. This behaviour makes me feel anxious as a Romany Gypsy, that we are being targeted by a man who supposedly represents our Government and our country. This is the kind of behaviour that we tell other minorities they do not need to accept. I really do worry for the future of our race and what our children face.'

'It does affect me as a Romany Gypsy I feel you should be able to approach a councillor who represents a ward without judgement as they are supposed to be there to represent the community and people from all ethnic backgrounds and help if something is needed in the area, I wouldn't feel I could approach him if for instance my child

needed help with a school placement in his ward due to the comments he has made publicly on his page.'

'Not only his comments but also his actions he has deleted me from being able to comment in response to his hate inciting comments, so not only is he being discriminatory he is taking away my freedom of speech to represent myself and my ethnicity. This leaves me with very little trust in the system when you cannot even have your voice heard.'

'I cannot believe the hatred and discrimination this councillor is encouraging with his comments...we are already the most discriminated ethnic minority!! I fear for my children's futures especially with councillors like this running our government and



councils

On Sunday the 11th of June Councillor North posted more statements on his Facebook page:

Councillor North claimed that implied threats have been made against him, and that he fears for his family's safety. We ask that he provides proof of these claims. We believe this is yet another attempt to 'other' our community by making people afraid of us, and he is looking for an excuse for his reprehensible statements, bias, and prejudice. Councillor North has shown he is unwilling to engage with the Gypsy and Traveller community, and the reasons are now apparent. Gypsies and Travellers experience hate speech daily on online platforms like Facebook, many inciting violence towards us. Yet we are still willing to engage with people in positions of power to raise awareness. It seems that Councillor North is unwilling to do the same, preferring instead to spread fear and division using underhand tactics.

Councillor's have a duty under the Equality Act. In fact, the Local Government Councillor Workbook regarding Equality, Diversity, and Inclusion states:

'Since the Equality Act 2010 applies to all sectors of community and business life, ALL organisations have responsibilities under the Act. This includes government departments, providers of services, employers, education providers (schools and further and higher education colleges and universities), providers of public functions, associations, membership bodies and transport providers.

As a Councillor, you have a duty to comply with the Equality Act 2010 and to ensure that you follow its principles when undertaking your role. This includes how you interact with council officers, community groups and organisations, your fellow politicians (of the

same/ different political party or no political affiliation), local residents, local businesses and their employees.

Why the Equality Act is important to you as a Councillor: As a Councillor, you come into contact with a wide range of individuals and community groups. You fulfill several roles, including representative, advocate, negotiator and facilitator, which means that it is important for you to fully understand and respect your local community and residents. Complying with the Act will help you to:

Act lawfully.

Treat people fairly.

Fully understand your community.

Make the best decisions for your community.

Be seen as fair and non-discriminatory.

Build a good reputation for yourself and your council.

For your further information we include this link to a good practice guide for unauthorised encampments:

https://www.basw.co.uk/system/files/resources/good_practice_guidance_understanding_the_welfare_impact_of_the_pcsc_act_-_july_2022.pdf

This is to advise and inform Test Valley Councillors about how to take a welfare-based approach, and not a punitive one, as demonstrated by Councillor Phil North.

In conclusion:

Gypsies and Travellers already have a suicide rate that is seven times the national average. When people in positions of power and authority share the kind of views Councillor North is expressing, this contributes to the negative effects on the mental health of Gypsies and Travellers, causing families further heartbreak, stress, and untold amounts of anxiety and worry.

It is the belief of the Romany Gypsy Guild, which has 6,900 members, that Councillor Phil North's comments and posts are sufficiently prejudiced and biased as to warrant dismissal from his position as a Councillor. He made the comments on a public/global forum, the comments have been screenshot and shared widely, being seen by thousands of people.

Also, as Councillor North made his comments using his Councillor status, he was effectively speaking for the whole council. As far as we are aware no other Test Valley

Councillor has come forward to refute his stance on Gypsies and Travellers, therefore it can be concluded that other Councillor's think the same way and could influence the thinking of many more Councillor's around the country, ensuring that even more Gypsies and Travellers experience racism, prejudice, bias, and hate speech.

Consequently, we ask that every Test Valley Councillor receives specific Gypsy and Traveller Awareness training from an accredited source, such as 'The Traveller Movement' or 'Friends, Families and Travellers'. Many other sources are available, and we have listed some of them.

<http://travellermovement.org.uk/>

<https://www.gypsy-traveller.org/>

<http://leedsgate.co.uk/>

<http://www.gateherts.org.uk/>

We understand that you are required to respond formally to this complaint. We will follow up this complaint if we do not hear back from you within seven days of your receipt of this email. In the meantime, if you need any further information from us, please email:

romany.gypsy.voice@gmail.com

We look forward to hearing from you in the very near future.

Yours Faithfully,

Genty Lee - Founder of the Romany Gypsy Guild.

Chris Smith – Adult Social Care Service Development Officer, GRT Awareness Trainer.

Alison Hulmes - Senior Lecturer (Social Work)/Uwch-ddarlithydd (Gwaith Cymdeithasol)

School of Health and Social Care/Ysgol Iechyd ac Gofal Cymdeithasol.

Also on behalf of:

The 6,900 members of the Romany Gypsy Guild.

Screenshots of some of Councillor Philip North's Disturbing Comments

9:16

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Frustratingly, I have been made aware of another unauthorised traveller incursion this evening. This time on open space at the junction of Smannell Road and Icknield Way between Augusta Park and Roman Way. From the photos I've seen, it looks like a different, but unfortunately bigger group than were in the area over the weekend.

I understand the police have attended - and I've already exchanged messages with my Head of Legal at [Test Valley Borough Council](#), who will also now be in contact with the police.

If the perpetrators are 'persons known' then we can potentially use our injunction to move them on much more quickly, similarly the police may decide to use other powers they have available or we may need to seek a court order. Whichever way, I'll do my best to get them removed ASAP. I'll update you all tomorrow once I understand more about the situation.



👍👎 46 69 comments 13 shares

Home Watch Marketplace Dating Notifications Menu

14:44

Cllr Phil North ✓ 5 d · 🌐


I wanted to let you all know as I've already had a number of messages, that I'm aware of the unauthorised traveller incursion on Churchill Way West between Artists Way and the Portway Business Park. I understand they have pitched up within the last hour.

I have already been in contact with my Head of Legal at Test Valley Borough Council and she is contacting the police as I write.

It looks like they're currently on Hampshire County Council highway verge land so it might be they will need to get a court order to remove them. However, if the perpetrators are 'persons known' then we can potentially use our injunction to move them on much more quickly, or the police may decide to use the other powers they have.

I am aware of the anti-social behaviour and reported criminality that these types of encampments cause, which is why I've called this in ASAP and will do what I can to expedite matters.

We've done a lot of work in recent years to better protect our open spaces, so I hope they or others don't try and pitch up in more sensitive residential locations. However, if you're aware of a large number of caravans moving around the town or trying to gain access to other sites then please let me know.



Write a comment...

Home Friends Watch Marketplace Notifications 1 Menu

8:33



Done

Edit



Andrew Webster

Where are they legally entitled to stay? If the cost of living increases further through more funding of war, we may all need to join them soon!

4 d Like Reply



Cllr Phil North ✓

Hi Andrew. We have a negotiated stopping policy. If travellers want to pass through Test Valley and they are prepared to play by the rules. I.E not cause fly-tipping, leave human waste or cause criminal or anti-social behaviour then we are prepared to allow sensibly sized encampments on appropriate council owned land (not near residential areas) but that must be agreed with us beforehand. This was a key element of us getting our injunction in place.

By the way, these were the words of Judge Bird when he granted us our injunction where he recognised we had carefully prepared our case taking into consideration equalities legislation:

"There is a great deal of evidence in this case, many hundreds if not thousands of papers. I am reminded that this injunction has at its heart antisocial behaviour which is deeply unpleasant, there is evidence of

Write a comment...



More

8:32



Done

Edit



Hannah Mayes

Thank you for the update. Hopefully they can moved without having a court order.

15 h Like Reply



Cllr Phil North ✓

I hope so, [Hannah](#).

15 h Like Reply



Martin Morris

Cllr Phil North, Going to be a busy Summer

14 h Like Reply



Cllr Phil North ✓

Potentially, [Martin](#). Although we have far less incursions now than we did 5 years ago. Since then we've done a lot of work to 'target harden' areas and get our interim injunction in place. I just hope that can once again include 'persons unknown' when we bring it to final order but we have to wait for a separate judgment first.

8 h Like Reply



Andreea Gubernat

[Cllr Phil North](#) how secured is Urban Park in p20? I just worried that they will move from Augusta Park to P20.

Write a comment...



More

8:33



Done

Edit

"There is a great deal of evidence in this case, many hundreds if not thousands of papers. I am reminded that this injunction has at its heart antisocial behaviour which is deeply unpleasant.. there is evidence of serious and criminal damage effected by visitors... instances of profound nuisance to persons in the locality...and patent and real risks to the health of those who live close by... I have seen disturbing photographs of a well-kept athletics site being damaged and in part destroyed by those who camped there.... there are also examples in the evidence of fly-tipping, the evidence suggests that tree felling and trimming will be offered to residents and the detritus left where it ought not to be. There has in this case been an Equality Impact Assessment, it strikes me as carefully prepared, nothing approaching a rubber-stamping exercise and it was completed before proceedings were issued. This Local Authority has not rushed into taking these proceedings, it has taken a careful and principled approach. Between 2018 and 2020 it has used powers available to it under various statutes including allowing the police to come on and the magistrates court to make orders. These powers have not been effective. Is it just and convenient to grant this injunction? In my view, the

Write a comment...



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8:33



Done

Edit

make orders. These powers have not been effective. Is it just and convenient to grant this injunction? In my view, the answer is yes. I am satisfied that if this injunction is granted, conduct of the type carried out by the named and unnamed individuals will cease because the local authority will be given a valid and useful means of dealing with it. Whilst other remedies are available, those remedies have, over time, proved ineffective. It would be wrong to deprive those in the Test Valley Borough Council area of the opportunity to right the wrongs being perpetrated against them. Local Authorities like those who have brought this case must take care of those in their area, council tax payers are entitled to expect that and that is precisely what the Claimants have done. I am of the view that it is appropriate to make an order."

4 d Like Reply

17



Andrew Webster

[Cllr Phil North](#) Thanks for the clarification, I am glad to see that some provisions have been made for travellers to pass through safely within reason. I hope the travellers have somewhere safe to move onwards to. I spent several years in my youth working overseas with

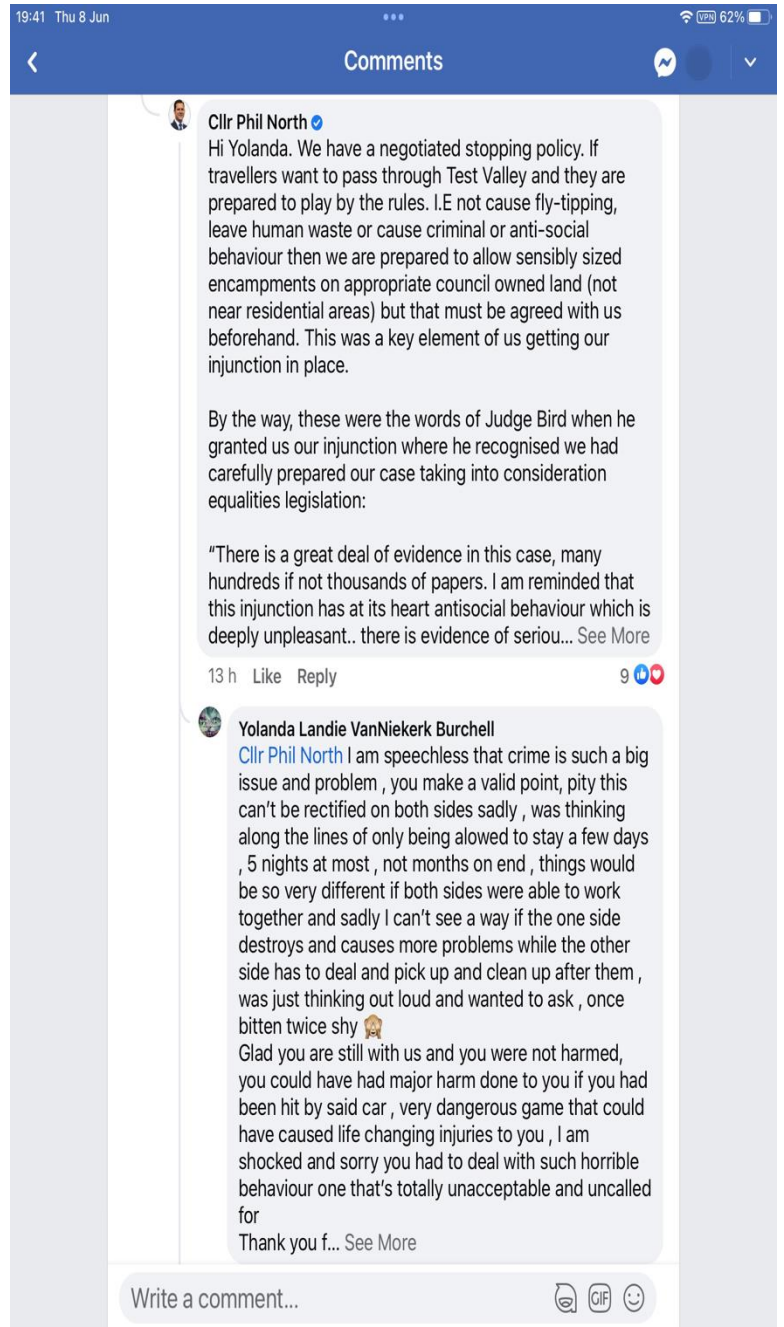
Write a comment...





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-  **Nicola French**
Its good to know you are on top of it. Personally to me it isn't a problem as long as they clean up when they move on. That's it really. All I expect is respect and courtesy.
4 d Like Reply 1 
-  **Cllr Phil North** 
Sadly, that very rarely/never happens, Nicola. Otherwise I'd have a different opinion. Our past experience almost always involves ASB, criminality and the dumping of human and other waste. The last interaction I had with travellers they drove at me in a car after they invaded the athletics track.
4 d Like Reply 1 



-  **Cllr Phil North** 
Hi Yolanda. We have a negotiated stopping policy. If travellers want to pass through Test Valley and they are prepared to play by the rules. I.E not cause fly-tipping, leave human waste or cause criminal or anti-social behaviour then we are prepared to allow sensibly sized encampments on appropriate council owned land (not near residential areas) but that must be agreed with us beforehand. This was a key element of us getting our injunction in place.

By the way, these were the words of Judge Bird when he granted us our injunction where he recognised we had carefully prepared our case taking into consideration equalities legislation:

"There is a great deal of evidence in this case, many hundreds if not thousands of papers. I am reminded that this injunction has at its heart antisocial behaviour which is deeply unpleasant.. there is evidence of seriou... See More
13 h Like Reply 9  
-  **Yolanda Landie VanNiekerk Burchell**
[Cllr Phil North](#) I am speechless that crime is such a big issue and problem , you make a valid point, pity this can't be rectified on both sides sadly , was thinking along the lines of only being allowed to stay a few days , 5 nights at most , not months on end , things would be so very different if both sides were able to work together and sadly I can't see a way if the one side destroys and causes more problems while the other side has to deal and pick up and clean up after them , was just thinking out loud and wanted to ask , once bitten twice shy 🙄
Glad you are still with us and you were not harmed, you could have had major harm done to you if you had been hit by said car , very dangerous game that could have caused life changing injuries to you , I am shocked and sorry you had to deal with such horrible behaviour one that's totally unacceptable and uncalled for
Thank you f... See More

Write a comment...   

12:06

4G 47%



Cllr Phil North

2 h ·

Good news. I've been informed that the unauthorised traveller encampment that broke onto public open space at Augusta Park earlier this week left last night with a police escort.

Since they arrived late on Wednesday evening, we've been working hard to try and get them removed as soon as possible. Liaising with the police, instructing bailiffs, issuing a section 77 notice and getting a court date secured within 24-hours. We were due in court tomorrow morning (the first available slot) but thankfully they've already gone.

I completely understand how frustrating these encampments are - especially the associated criminality and anti-social behaviour which more often than not emanates from them. On this particular occasion reports of theft at the local Co-op, unpleasant anti-social behaviour at the leisure centre and intimidation of local residents. Not to mention the waste and human excrement left behind.

Sadly, in the last 48 hours this intimidation

12:06

4G 47%

facebook



Sadly, in the last 48 hours this intimidation has also been apparent on my Facebook page. With my original post spreading around national traveller Facebook groups who have inundated it with accusations of racism, bad language and implied threats. Consequently I have had to block authors and remove a large amount of comments on that post. Not least to protect my own personal and family safety. Please be assured though that despite this, I will always stand up for local residents and continue to do all I can to ensure these incursions are kept to a minimum. There are certainly a lot fewer now than 3 years ago.

I'm away at the moment, so I might not be able to respond to comments straight away but when I'm back I intend to do a much more detailed post of where we are in terms of bringing our injunction to final order. So if you could hold your questions to then I would really appreciate it.

Finally, I know we need to explore the possibilities of protecting the area that was breached this week. Especially

